

REMARKS

Claims 2-10 and 12-19 remain pending herein.

As requested in the March 26, 2003 Office Action, the applicants confirm that priority of JP 10-313270 is not being claimed in the present application.

Claims 2, 10, 16, 18 and 19 were rejected under 35 U.S.C. 102(a) over JP 2000-149886.

Submitted herewith are two Declarations Under 37 C.F.R. 1.132, signed by the two respective inventors in Japanese 2000-149886 and confirming that the two inventors in Japanese 2000-149886 are also inventors in the present application. The Declarations Under 37 C.F.R. 1.132 also contain statements that Teruhisa Kurokawa and Kenshin Kitoh, inventors in the present application and inventors in Japanese 2000-149886, together invented the subject matter of claims 2 and 19 of the present application (claims 2 and 19 are amended herein in order to be rewritten in independent format).

In view of the attached Declarations Under 37 C.F.R. 1.132, JP 2000-149886 is not prior art under 35 U.S.C. 102(a) relative to claim 2 (from which claim 10 depends) or claim 19 (from which claims 16 and 18 each ultimately depend). Accordingly, reconsideration and withdrawal of this rejection are requested.

Claims 1, 3-5 and 11-13 were rejected under 35 U.S.C. 102(b) over U.S. Patent No. 5,462,820 (Tanaka '820). Claims 1 and 11 have been canceled. The claims have been amended such that claims 3-5 each ultimately depend from claim 2, which is not rejected over Tanaka '820. The claims have further been amended such that claims 12 and 13 each ultimately depend from claim 19, which is not rejected over Tanaka '820. Accordingly, in view of their respective dependencies on claims 2 and 19, claims 3-5, 12 and 13 are allowable over Tanaka '820. Accordingly, reconsideration and withdrawal of this rejection are requested.

Claims 1 and 3-9 were rejected under 35 U.S.C. 103(a) over EP 771 040 (EP '040) in view of Tanaka '820.

Claim 1 is canceled hereby. The claims have been amended such that claims 3-9 each ultimately depend from claim 2, which is not included in this rejection. Accordingly, in view of their respective dependencies on claim 2, claims 3-9 are allowable over EP '040 in view of Tanaka '820. Accordingly, reconsideration and withdrawal of this rejection are requested.

Claims 1, 3-8 and 11-17 were rejected under 35 U.S.C. 103(a) over U.S. Patent No. 5,571,632 (Teramoto '632) in view of Tanaka '820. Claims 1 and 11 have been canceled. The claims have been amended such that claims 3-8 each ultimately depend from claim 2, which is not rejected over Teramoto '632 in view of Tanaka '820. The claims have further been amended such that claims 12-17 each ultimately depend from claim 19, which is not rejected over Teramoto '632 in view of Tanaka '820. Accordingly, in view of their respective dependencies on claims 2 and 19, claims 3-8 and 12-17 are allowable over Teramoto '632 in view of Tanaka '820. Accordingly, reconsideration and withdrawal of this rejection are requested.

Claims 1, 3-5 and 11-13 were rejected under obviousness-type double patenting over claims 1-12 of U.S. Patent No. 6,139,986 (Kurokawa '986). Claims 1 and 11 have been canceled. The claims have been amended such that claims 3-5 each ultimately depend from claim 2, which is not rejected over claims 1-12 of Kurokawa '986. The claims have further been amended such that claims 12 and 13 ultimately depend from claim 19, which is not rejected over claims 1-12 of Kurokawa '986. Accordingly, in view of their respective dependencies on claims 2 and 19, claims 3-5, 12 and 13 are allowable over claims 1-12 of Kurokawa '986. Accordingly, reconsideration and withdrawal of this rejection are requested.

Claims 1 and 3-18 were provisionally rejected under obviousness-type double patenting over claims 1-53 of U.S. Application Serial No. 09/863,108. Claims 1 and 11 have been canceled. The claims have been amended such that claims 3-10 each ultimately depend from claim 2, which is not rejected over claims 1-53 of U.S. Application Serial No. 09/863,108. The claims have further been amended such that claims 12-18 each ultimately depend from claim 19, which is not rejected over claims 1-53 of U.S. Application Serial No. 09/863,108. Accordingly, in view of their respective dependencies on claims 2 and 19, claims 3-10 and 12-18 are allowable over claims 1-53 of U.S. Application Serial No. 09/863,108. Accordingly, reconsideration and withdrawal of this rejection are requested.

Claims 1, 3-5 and 11-17 were provisionally rejected under obviousness-type double patenting over claims 1-27 of U.S. Application Serial No. 09/937,943.

Claims 1 and 11 have been canceled. The claims have been amended such that claims 3-5 each ultimately depend from claim 2, which is not rejected over claims 1-27 of U.S. Application Serial No. 09/937,943. The claims have further been amended such that claims

12-17 each ultimately depend from claim 19, which is not rejected over claims 1-27 of U.S. Application Serial No. 09/937,943. Accordingly, in view of their respective dependencies on claims 2 and 19, claims 3-5 and 12-17 are allowable over claims 1-27 of U.S. Application Serial No. 09/937,943. Accordingly, reconsideration and withdrawal of this rejection are requested.

In view of the above, claims 2-10 and 12-19 are in condition for allowance.

If the Examiner believes that contact with applicant's attorney would be advantageous toward the disposition of this case, he is herein requested to call applicant's attorney at the phone number noted below.

The Commissioner is hereby authorized to charge any additional fees associated with this communication or credit any overpayment to Deposit Account No. 50-1446.

Respectfully submitted,



Kevin C. Brown
Reg. No. 32,402

July 9, 2003

Date

KCB:jms

BURR & BROWN
P.O. Box 7068
Syracuse, NY 13261-7068

Customer No.: 025191
Telephone: (315) 233-8300
Facsimile: (315) 233-8320